

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**THOMAS R. RODELLA and
THOMAS R. RODELLA, JR.**

Defendant.

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Case No.: 14-CR-2783 JB

DEMAND FOR A SPEEDY TRIAL AND REQUEST FOR SCHEDULING CONFERENCE

The Defendants, Thomas R. Rodella, Sr., by his counsel, Robert J. Gorence of Gorence & Oliveros, P.C., and Thomas R. Rodella, Jr., by his counsel, Jason Bowles of the Bowles Law Firm, hereby request a trial within seventy (70) days pursuant to 18 U.S.C. § 3161(c)(1), et seq., and request a scheduling conference so that deadlines for motions, including motions in limine, can be set to comport with a trial setting within the seventy (70) days. As grounds for this motion, The Rodellas state as follows:

1. On August 12, 2014, a federal grand jury returned an indictment against Thomas R. Rodella, Sr., and Thomas R. Rodella, Jr., alleging Conspiracy Against Free Exercise of Civil Rights; Deprivation of Rights and Aiding and Abetting; Brandishing a Firearm; and Falsification of Documents.

2. Mr. Rodella, Sr., and Mr. Rodella, Jr., were arrested on Friday, August 15, 2014 and were brought to federal court for their Initial Presentment before the United States Magistrate Judge Lorenzo F. Garcia. At the Initial Presentment, undersigned counsel requested that the hearing be converted into an Arraignment for the specific purpose that the federal speedy trial clock could commence ticking. Judge Garcia accommodated the request and Mr. Rodella, Sr., and

Mr. Rodella, Jr., entered not guilty pleas.

3. Mr. Rodella, Sr., is the duly elected Sheriff of Rio Arriba County. He will continue to serve as Sheriff of Rio Arriba County, by virtue of the reflection of the wisdom of Rio Arriba voters and the American democratic process, until December 31, 2014.

4. On August 15, 2014, Judge Garcia ordered both Mr. Rodella, Sr., and Mr. Rodella, Jr., to be released on their own recognizance with various conditions of release. A condition applicable to both Mr. Rodella, Sr., and Mr. Rodella, Jr., is that neither one of them can carry a firearm. While Mr. Rodella, Sr., can continue as Sheriff without a weapon, it is a severe work impediment.

5. Mr. Rodella, Sr., and Mr. Rodella, Jr., express emphatically their desire to have their case heard within seventy (70) days of arraignment. United States Magistrate Judge Garcia entered a standard discovery order on August 15, 2014, which included a motion deadline of September 4, 2014. Both Defendants will file all applicable motions by that date with the exception of motions in limine.

6. Mr. Rodella, Sr., and Mr. Rodella, Jr., request the Court to hold a scheduling conference as soon as practicable so that a firm trial date can be set within the seventy (70) day time limit and that internal deadlines for the government to respond to motions, for the Defendants to reply, and a motion in limine deadline can be set.

7. Undersigned counsel are steadily clearing their calendars for the latter part of October 2014 so that they have sufficient time available to try this case.

Respectfully submitted,

/s/ Robert J. Gorence

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of August, 2014, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Tara C. Neda, Assistant U.S. Attorney
(tara.neda@usdoj.gov)

s/ Robert J. Gorence

Robert J. Gorence